RULES
AND
ARTICLES
For the better
GOVERNMENT
OF THEIR
Majesties
LAND-FORCES
IN THE
LOW-COUNTRIES,
And Parts beyond the Seas.

Published by Their Maiesties Comman^d.

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MDCXCII.

RULES AND ARTICLES

For the better Government of His Majesties Land-Forces in the *Low-Countreys*, &c.

ART. I.

ALL Officers and Soldiers (not having just Impediment) shall diligently frequent Divine Service and Sermon, in such Places as shall be appointed for the Regiment, Troop, or Company to which they belong; And such as either wilfully or negligently absent themselves from Divine Service or Sermon, or else, being present, do behave themselves undecently or irreverently during the same; If they be Officers, they shall be severely reprehended at a Court-Martial;

Divine Service and Sermon to be frequented.

The Penalty of absenting from Divine Service, or Irreverent behaviour during the same.

1. If Officers.

2. If Soldiers. But if private Soldiers, they shall for every such First Offence forfeit each man Twelve pence, to be deducted out of their next Pay; And for the Second Offence shall forfeit Twelve pence, and be laid in Irons for Twelve hours; And for every like Offence afterwards, shall suffer and pay in like manner.

ART. II.

No Commodity to be put to sale in time of Divine Service or Sermon. If any Sutler or Seller of Ale, Beer, Wine, or any sort of Drinks, Bread, Victuals, or other Commodities or Merchandize whatsoever, attending His Majesties Forces, shall during the time of Divine Service or Sermon, set any such thing to

The Penalty. sale, he shall forfeit the full value thereof, for the use of the Poor.

ART. III.

The Penalty of Swearing or Curfing. Whosoever shall use any unlawful Oath, or Execration (whether Officer or Soldier) shall incur the Penalties exprest in the first Article.

ART. IV.

If any Officer or Soldier shall presume to Blaspheme the Holy and Undivided

divided Trinity, or the Persons of God the Father, God the son, or God the Holy Ghost; Or shall presume to speak against any known Article of the Christian Faith, he shall have his Tongue Bored through with a Red-hot Iron.

The Penalty of Blaspheming the Persons of the Holy Trinity, or speaking against any known Article of the Christian Faith.

ART. V.

If any Officer or Soldier, shall Abuse or Profane any Place Dedicated to the Worship of God, or shall offer Violence to any Chaplain of the Army, or any other Minister of Gods Word, he shall receive such Corporal Punishment as shall be inflicted on him by a Court-Martial.

The Penalty of Prophaning Churches, or offering violence to Chaplains or Ministers.

And whosoever shall take any of the Utensils or Ornaments belonging or Dedicated to Gods Worship, in any Church or Chappel, shall suffer Death for the Fact.

Penalty of Robbing or Plundring Churches or Chappels.

ART. VI.

If any Officer shall be found Drunk the Day of his Guard, he shall be Cashiered for it; And if any Soldier shall be found Drunk when he is upon Duty, he shall receive such Corporal Punishment as a Court-Martial shall think fit; Nor shall any Officer or Soldier be allowed to excuse himself

The Penalty of Drunkenness.

for any fault committed by him, upon pretence of his being Drunk at any time whatsoever.

ART. VII.

All Officers and Soldiers are to take the Oath of Fidelity.

All Officers and Soldiers, of what Quality or Condition soever, shall take the following Oath, which shall be Administred to them by such Person or Persons, and in such Places as His Majesty, His General, Lieutenant General, or Commander in Chief of the Forces for the time being, shall appoint.

To be administred as the King or Commander in Chief shall appoint.

The Oath of Fidelity to be taken by every Officer and Soldier in the Army.

The Oath of Fidelity to be taken by all Officers and Soldiers.

I Swear to be True to our Sovereign Lord and Lady, King *WILLIAM* and Queen *MARY*, and to Serve them Honestly and Faithfully in the Defence of Their Persons, Crown and Dignity, against all Their

Their Enemies and Oppoſers whatſoever; And to obſerve and obey Their Majeſties Orders, and the Orders of the Generals and Officers ſet over me by Their Majeſties.

So help me God.

ART. VIII.

No Officer or Soldier ſhall uſe any Traiterous Words againſt the Sacred Perſons of the King and Queens moſt Excellent Majeſties upon pain of Death.

The penalty of Traiterous Words againſt the King and Queen.

ART. IX.

Whoſoever ſhall hold Correſpondence with any Rebel or Enemy of Their Majeſties, or ſhall give them Advice or Intelligence either by Letters, Meſſages, Signs, or Tokens, or any manner of way whatſoever, ſhall ſuffer Death. And whatever Regiment, Troop, or Company ſhall Treat with ſuch Rebels or Enemies, or entar into any Condition with them

The Penalty of Correſponding with Rebels or Enemies.

The Penalty of Treating or Entring into any Condition with them.

without Their Majesties Leave, or Leave of the General, Lieutenant General, or of the Chief Commander in his absence, the Officers and Soldiers of such Regiment, Troop or Company who are found guilty, or consenting thereunto, shall die for it; But whatsoever Officers or Soldiers can prove that they did their utmost to resist and avoid such a Treaty, and were no Partakers of the Crime, they shall not only go free, but shall also be Rewarded for their Constancy and Fidelity.

ART. X.

The Penalty on the Concealers and Contrivers of any Traiterous Conspiracy.

Whosoever shall go about to Entice or Perswade either Officer or Soldier to joyn or engage in any Traiterous or Rebellious Act, either against the Royal Persons of Their Majesties, or Their Government, shall suffer Death; And whoever shall not reveal to his Superior Officer such a Conspiracy so soon as ever it shall come to his knowledge, shall be judged equally guilty with the Contrivers of such a Plot or Conspiracy, and consequently shall suffer the same Penalty,

ART.

ART. XI.

If any Officer or Soldier shall behave himself disrespectfully towards the General, Lieutenant General, or other Chief Commander of the Army, or speak words tending to his Hurt or Dishonour, he shall be punished according to the Nature and Quality of the Offence by the Judgment of the General Court-Martial.

The Penalty of disrespectful Behaviour, or dishonourable Words against the General, Lieutenant General or other Chief Commander.

ART. XII.

Whosoever shall presume in the Presence of the General, Lieutenant General, or other Commander in Chief, to draw his Sword with a purpose to do any Officer or any of his Fellow Soldiers mischief, shall suffer Death.

The Penalty of Drawing a Sword in the presence of the General, Lieutenant-General, or Commander in Chief.

ART. XIII.

Whoever shall presume to violate any Safe Conduct or Protection given by His Majesty, the General, Lieutenant General, or other Commander in Chief, shall suffer Death.

The Penalty of violating a Safe Conduct or Protection given by His Majesty, the General, Lieutenant-General, or other Chief Commander.

ART. XIV.

No Man shall presume so far as to raise

Penalty of Mutiny.

raise or cause the least Mutiny or Sedition in the Army, upon Pain of Death. And if any number of Soldiers shall presume to assemble to take Counsel amongst themselves for the demanding their Pay, or shall at any time demand their Pay in a Mutinous manner, any Inferior Officers accessory thereunto, shall suffer Death for it, as the Heads and Ring-leaders of such Mutinous and Seditious Meetings; And the Soldiers shall be punished with Death. And if any Captain being privy thereunto shall not suppress the same, or complain of it, he shall likewise be punished with Death.

Of Soldiers in Mutinies.

Of Captains not suppressing or complaining of Mutinies to which they are privy.

ART. XV.

No Officer or Soldier shall utter any words tending to Sedition or Mutiny, upon pain of Death.

Penalty of speaking Mutinous and seditious words.

And whosoever shall hear any Mutinous or Seditious Words spoken, and shall not with all possible speed reveal the same to his Superiour Officers, shall likewise be punished with Death.

The Penalty of not Revealing Mutinous words.

ART. XVI.

If any Inferior Officer or Soldier shall refuse to obey his Superior Officer, he shall be punished with Death.

The Penalty of Inferiour Officers or Soldiers resisting their Superiour Officers.

ART.

ART. XVII.

If any Officer or Soldier shall presume to resist any Officer in the Execution of his Office, or shall strike, or lift up his hand to strike, or shall draw, or offer to draw, or lift up any Weapon against his Superior Officer upon any Pretence whatsoever; he shall suffer Death.

The Penalty of drawing upon them, or striking them, or offering to draw or strike them.

ART. XVIII.

Every Soldier shall keep silence when the Army is Marching, Embattelling, or taking up their Quarters, (to the end that their Officers may be heard, and their Orders executed) upon Pain of Imprisonment, or such other Punishment as a Court-Martial shall think fit, according to the Circumstance and Aggravation of the Fact.

Silence to be kept by all Soldiers whilst the Army is Marching, Embattelling, or taking up their Quarters.

ART. XIX.

All Murders and wilful killing of any Person, shall be punished with Death.

ART. XX.

All Robbery and Theft committed by any Person in or belonging to the Army,

Army, shall be punished with Death.

ART. XXI.

The Penalty of any Mans drawing a Sword but against the Enemy, whilst his Colours are flying.

Whoever shall in anger draw his Sword whilst his Colours are flying, either in Battel, or upon the March, unless it be against the Enemy, shall be punished with Death.

ART. XXII.

The Penalty if any one stays behind his Colours.

When any March is to be made, every man who is sworn shall follow his Colours; and whoever shall without leave stay behind, or depart above a Mile from the Camp, or out of the Army without Licence, shall die for it.

ART. XXIII.

The Penalty of deserting or straying from their Colours.

All Officers or Soldiers that shall desert either in the field, upon a March, in Quarters, or in Garison, shall Die for it; and all Soldiers shall be reputed and suffer as Deserters who shall be found a Mile from their Garison or Camp without leave from the Officer Commanding in Chief.

ART.

ART. XXIV.

No Officer or Soldier shall leave his Colours and List himself into any other Regiment, Troop or Company, without a Discharge from the Commander in Chief of the Regiment, Troop or Company, in which he last served, upon pain of being reputed a Deserter, and suffering Death for it; and in case any Officer shall Receive, or Entertain any Non-Commission Officer or Soldier, who shall have so Deserted or left his Colours without a Discharge, such Officer shall be immediately Cashier'd

No Officer or Soldier shall leave his Colours without a discharge from the Commander.

ART. XXV.

No Person shall extort Free quarter, or shall commit any Waste, or spoil, or deface Walks of Trees, Parks, Warrens, Fishponds, Houses, or Gardens, tread down, or otherwise destroy Standing Corn in the Ear, or shall put their Horses into Meadows without Leave from their Superior Officer, upon pain of severe Punishment; But if any Officer or Soldier shall exact Money, or wilfully Burn any House, Barn, Stack of Corn, Hay or Straw, or any Ship, Boat

The Penalty if any one extort Free Quarter, commit any spoil or waste, &c. in a March.

The Penalty of Burning Houses, spoiling Corn, Hay, &c.

Boat or Carriage, or any thing which may serve for the Provision of the Army, without Order from the Commander in Chief, he shall suffer Death for it.

ART. XXVI.

The Penalty if any one run from his Colours.

Whoever shall run from his Colours, or doth not defend them to the utmost of his Power, shall suffer Death.

ART. XXVII.

The Penalty if a Regiment, &c. shall not behave themselves as they ought to do.

If any Officers or Soldiers, Regiment, Troop, or Company, or Commanded Party, shall not behave themselves in Fight against an Enemy, or a Garison, as they ought to do, or shall quit their Posts at any Fort, Breach or Trench without Order, or shall surrender any Town or Fortification which they are Commanded to Defend, or speak words, or make any shew toward a Surrender, or Dispute the Order of the Garison, they shall die for it.

ART. XXVIII.

The Penalty of Plundering before the Enemy be entirely beaten.

When it shall please God that His Majesties Forces shall beat the Enemy, every Man shall follow his Officer in

in the Chaſe; but whoever ſhall preſume to Pillage or Plunder till the Enemy be entirely beaten, he ſhall ſuffer Death, or ſuch other Puniſhment as ſhall be pronounced againſt him by the General Court-Martial; and the Pillage ſo gotten ſhall be forfeited to the uſe of the ſick and maimed Soldiers.

ART. XXIX.

In what Place ſoever it ſhall pleaſe God that the Enemy ſhall be ſubdued or overcome, all the Ordnance, Ammunition and Victuals that ſhall be there found, ſhall be ſecured for Their Majeſties uſe, and for the better Relief of the Army; and one Tenth part of the Spoil ſhall be laid apart towards the Relief of the ſick and maimed Soldiers.

The Enemies Ammunition and Victuals that ſhall be taken, ſhall be for His Majeſties uſe, and a tenth of the Spoil to be laid apart for the ſick and maimed Soldiers.

ART. XXX.

All Officers whoſe Charge it is, ſhall ſee the Quarters kept clean and neat upon pain of ſevere puniſhment.

The Penalty of not keeping the Quarters clean.

ART. XXXI.

No Officer ſhall lie out all Night from the Camp, Quarters or Gariſon

The Penalty of lying all Night out of the Camp or Gariſon.

ſon without his Superiour Officers Leave, upon pain of being puniſhed for it as a Court-Martial ſhall think fit; Nor ſhall any Soldier or Officer go any By-way to the Camp, or other than the Common Way laid out for all, upon pain of being puniſhed as aforeſaid.

ART. XXXII.

The Penalty of ſhooting a Muſket in the night after the Watch is ſet, unleſs at an Enemy.

No Soldier ſhall preſume to make any alarm in the Quarters by ſhooting off his Piece in the Night after the Watch is Set, unleſs it be at an Enemy, upon pain of ſuffering ſuch Puniſhment as a Court-Martial ſhall inflict.

ART. XXXIII.

The Penalty of Drawing a Sword in Camp or Gariſon.

No Soldier ſhall in anger draw his Sword in any Camp, Poſt, or Garriſon, upon pain of ſuch Corporal Puniſhment as a Court-Martial ſhall inflict upon him for the ſame.

ART. XXXIV.

The Penalty if a Soldier abſent himſelf from the Watch when warning is given.

When warning is given for Setting the Watch, by Beat of Drum, or Sound of Trumpet, if any Soldier ſhall Abſent himſelf without reaſonable

ſonable Cauſe, he ſhall be puniſhed by Riding the Wooden Horſe, or otherwiſe at the Diſcretion of the Commander.

And whoever ſhall fail at the Beating of a Drum, or Sound of a Trumpet, or upon an Alarm given, to repair to his Colours, with his Arms decently kept, and well fixed (unleſs there be an evident neceſſity to hinder him from the ſame) he ſhall either be put in Irons for it, or ſuffer ſuch other Puniſhment as a Court-Martial ſhall think fit.

The Penalty if a Soldier do not at the Beat of Drum, or Sound of Trumpet, or an Alarm, repair to his Colours.

ART. XXXV.

Whoever makes known the Watch-word without Order, or gives any other Word but what is given by the Officer ſhall ſuffer Death.

The Penalty of making known the Watch-word, or giving a falſe one.

ART. XXXVI.

A Centinel who ſhall be found ſleeping in any Poſt, Garriſon, Trench, or the like, (while he ſhould be upon his Duty) ſhall ſuffer Death.

The Penalty of a Centinel ſleeping, when he ſhould be upon Duty.

And if a Centinel or Perdue ſhall forſake his Place, before he be relieved or drawn off; or upon diſcovery of an Enemy ſhall not give Warning to his Quarters, according to Direction, he ſhall ſuffer Death.

The Penalty if a Centinel or Perdue forſake his Place, before he be Relieved, or Drawn off.

ART. XXXVII.

The Penalty of robbing or abusing any who bring Provisions into the Camp or Garison.

Whoever shall do violence to any who shall bring Victuals to the Camp or Garison, or shall take his Horse or Goods, shall suffer Death.

The Penalty if any Soldier abuse or beat his Host, his Hosts Wife, Child, or Servant.

If any shall presume to beat or abuse his Host, or the Wife, Child, or Servant of his Host, where he is Quartered, he shall be put in Irons for it: And if he do it a second time, he shall be further punished; and the Party wronged shall in both Cases have amends made him.

Penalty of Ravishing.

And whoever shall force a Woman to abuse her (whether she belong to the Enemy, or not) and the Fact be sufficiently proved, shall suffer Death for it.

ART. XXXVIII.

The Penalty of reproachful or provoking speech or act.

No Soldier or Officer shall use any reproachful or provoking Speech or Act to another upon pain of Imprisonment, and of asking Pardon of the Person offended; as also of such further Punishment as a Court-Martiall shall think fit.

The Penalty of sending or accepting a Challenge.

Nor shall any Officer or Soldier presume to send a Challenge to any other Officer or Soldier to fight a Duel; Neither shall any Soldier or Officer

Officer upbraid another for refusing a Challenge; And we do acquit and discharge all Men that have Quarrels offered, or Challenges made to them, of all Disgrace, or opinion of Disadvantage, since they but do the Duties of Soldiers, who ought to subject themselves to Discipline; and they that provoke them, shall be proceeded against as Breakers of Discipline, and Enemies to Our Service: And whoever shall offend in either of these Cases, if he be an Officer, he shall be Cashiered; and if a private Soldier, he shall Ride the Wooden Horse, and be further punished as a Court-Martial shall think fit. And if any Corporal or other Officer Commanding a Guard, shall willingly or knowingly suffer either Soldiers or Officers to go forth to Duel, he shall be punished for it with Death.

Either for Officers.

Or private Soldiers.

The Penalty if any Officer knowingly suffer any to go out to fight a Duel.

And all Officers of what Condition soever, have power to part and quell all Quarrels, Frays or sudden Disorders between Soldiers and Officers, though of another Company, Troop or Regiment, and to commit the disorderly Persons to Prison, until their proper Officers be acquainted therewith.

All Officers shall have power to part or quell all Frays, &c.

Whoever shall resist such an Officer (though of another Company,

Penalty of resisting an Officer.

Troop or Regiment) or draw his Sword upon him, shall be severely punished as the General Court-Martial shall appoint.

The Penalty of going into the Field and there drawing Swords, though no death ensue.

And if Two or more going into the Field to fight a Duel, shall draw their Swords or other Weapons and fight, though neither of them fall upon the Spot, nor die afterwards of any Wound there received, they shall be punished with Death.

The Seconds and Carriers of Challenges in all Duels, shall be reputed as Principals.

And lastly, in all Cases of Duels, the Seconds, and Carriers of Challenges, shall be taken as Principals, and punished accordingly.

ART. XXXIX.

Those who have Passes and shall exceed the time shall not receive their pay.

All Passes and Licences for being absent, shall be brought to the Muster-Master, who is required to Enter the same in a Book fairly written, to prevent Collusion; And whoever is absent longer then the time limited in his Pass for his absence, shall be respited, and not allowed the Muster, without Order from His Majesty, the General, or other Commander in Chief of Their Majesties Forces.

ART. XL.

If any Soldier be sick, wounded, or maimed

maimed in Their Majesties Service, he shall be sent out of the Camp to some fit Place for his Recovery, where he shall be provided for by the Officer appointed to take care of sick and wounded Soldiers, and his Wages or Pay shall go on and be duly paid, till it does appear that he can be no longer serviceable in the Army, and then he shall be sent by Pass to his Country, with Money to bear his charges in his Travel, or such other Provision shall be made for him, as His Majesty shall direct.

Sick Soldiers are to have care taken of them.

ART. XLI.

All Commissions granted by His Majesty, the General, or Commander in Chief of His Majesties forces, to any Officer in Pay, shall be brought to the Commissary of the Musters, and Secretary at War, who are to receive and enter the same in a Book fairly written; and no Commission-Officer shall be allowed in Muster, without a Commission from His Majesty, or the Commander in Chief for the time being, and the same Entred with the Commissary-General of the Musters, or his Deputies, and Secretary at War.

All Commissions to be Entred.

ART. XLII.

No Commission Officer to be Cashiered but by Order from His Majesty, or the General, or a General Court-Martial.

No Commission Officer after Enrollment and being Mustered, shall be Dismissed or Cashiered without Order from His Majesty, the General, or Commander in Chief for the time being, or a General Court-Martial: But the Captains with the approbation of their Colonels, or of the Governour of the Garison where they are, may discharge any Non-commission Officer, or Private Soldier when they find cause, taking other Non-Commission Officers or Soldiers in their Places; Provided that such Colonel or Governor shall forthwith certifie the same to the Commissary General of the Musters, That (by their approbation) such Non Commission officers or Soldiers were discharged, and others taken into their Places respectively. And in Quarters and Garisons where they are only single Troops or Companies, the Captains Certificates are forthwith to be sent and accepted by the Commissary-General, expressing the Day of each Non-Commission Officers and Soldiers Discharge or Death, and who hath been entertained in his Place.

But Non-Commission Officers and Soldiers may be dismissed.

ART. XLIII.

All Captains shall use their utmost Endeavours to have their Troops and Companies compleat and full, and no Soldiers Duty, either of Horse or Foot, shall be done by any other then the Souldier himself; But in case of Sickness or Disability, or other necessary Cause, his Captain may dispence with his absence, without obliging him to find another to Serve in his stead.

Captains to keep their Troops and Companies full. No Soldiers Duty to be done by another.

ART. XLIV.

If any Trooper or Dragoon shall lose or spoil his Horse, or any Foot-Soldier his Arms, or any part thereof by Negligence or Gaming, he shall remain in the quality of a Pioneer or Scavenger, till he be furnished at his own Charge, with as good as were lost; and if he be not otherwise able, the one half of his Pay shall be deducted, and set apart for the providing of it till he be refurnished.

The Penalty of Pawning, Selling, or Spoiling Arms.

Nor shall any Soldier sell, or negligently or wilfully break his Arms, or any part thereof, or any Hatchets, Spades, Shovels, Pick-axes, or other Necessaries of War, upon

The Penalty of Selling, or Breaking Arms, &c.

pain of ſevere puniſhment, at the diſcretion of the General Court-Martial. And where Arms, or other Neceſſaries aforeſaid ſhall be pawned, they are to be forfeited, and ſeized on for His Majeſties uſe.

ART. XLV.

The Penalty of Officers and Soldiers not obeying theſe Orders.

All Officers and Soldiers not duly obſerving theſe Orders, and every of them reſpectively, ſhall be Caſhiered, or liable to ſuch other Puniſhments as His Majeſty, or Commander in Chief of the Forces, or a Court Martial ſhall appoint.

ART. XLVI.

Penalty of Selling or Conveying away any Ammunition or Victuals.

None ſhall preſume to ſpoil, ſell, or convey away any Ammunition delivered unto him, upon pain of ſuffering death, or ſuch other puniſhment as the General Court-Martial ſhall think fit.

ART. XLVII.

The Penalty of imbezling Victuals or Ammunition.

No Officer, Provider or Keeper of the Victuals or Ammunition for Their Majeſties Forces ſhall imbezle or willingly ſpoil, or give a falſe Account of any part thereof to whom he is to make his Account, upon pain of ſuffering

ſuffering Death, or ſuch other Puniſhment as the General Court-Martial ſhall think fit.

ART. XLVIII.

No Commiſſary or Victualler ſhall bring or furniſh unto the Camp any unſound or unſavory Victuals of what kind ſoever, whereby Sickneſs may grow in the Army, or the Service be hindred; and if upon Examination before the General Court-Martial he ſhall be found guilty, he ſhall ſuffer ſuch Puniſhment as they ſhall direct. The Penalty of Providing unſound or unſavory Victuals for the Army.

ART. XLIX.

No Officer or Soldier ſhall be a Victualler in the Army, upon pain of being puniſhed at Diſcretion. No Officer or Soldier to be a Victualler.

ART. L.

No Victualler or Seller of Beer, Ale, or Wine belonging to the Army, ſhall Entertain any Soldier in his Houſe, Booth, Tent or Hutt after the Warning Piece, Tattoe or Beat of the Drum at night, or before the Beating of the revellies in the morning; Nor ſhall any Soldier within that The Penalty of Enterraining Soldiers after the Tattoe, or before the Reveilles in the Morning.

that time be any where but upon his Duty, or in his Quarters, upon pain of Punishment both to the Soldier and Entertainer, at the Discretion of a Court-Martial.

ART. LI.

Every Regiment may have a Court-Martial and a Provost-Martial, and other Officers necessary for a Court.

The Commission-Officers of every Regiment may hold a Court-Martial for that Regiment upon all such matters as the General, or Commander in Chief of the Forces, shall allow of as proper for their Determination.

The Provost-Martial of every Regiment shall have the same privilege in his own Regiment as the Provost-Martial General hath in the Army or Camp, and such Fees also as the Court-Martial shall allow.

ART. LII.

The Duty of the Judges.

Such who are Judges in a General Court-Martial, or in a Regimental-Court-Martial, shall hold the same Rank in those Courts as they do in the Army for Orders sake, and shall take an Oath in the words following,

I *A. B.*

I *A. B.* Do Swear that I will Duly adminiſter Juſtice according to the Rules and Articles made by His Majeſty for the better Government of His Forces in the *Low-Countreys*, and Parts beyond the Seas, without any partiality, favour or affection, and (where the ſaid Articles do not aſſign any eſpecial Puniſhment) according to my Conſcience, the beſt of my underſtanding, and the Cuſtom of War in like Caſes; And I do further Swear that I will not receive any Preſent or Gratuity, Directly, or Indirectly from any Perſon whatſoever, concerned, or to be concerned in any Tryal at any Court-Martial whereof I am, or ſhall be a Member, nor will I Divulge the Sentence of the

the Court until it ſhall be approved by His Majeſty, the General, or Commander in Chief; neither will I upon any account at any time whatſoever Diſcloſe or Diſcover the Vote, or Opinion of any particular Member of the Court-Martial.

So help me God.

They ſhall likewiſe demean themſelves orderly in the hearing of Cauſes, and before giving of Sentence every Judge ſhall deliver his Vote or Opinion diſtinctly, and the Sentence is to be according to the plurality of Votes, and if there happen to be an equality of Votes, the Preſident is to have a caſting Voice.

No Sentence ſhall be pronounced until report be made of the whole matter by the Preſident to His Majeſty.

No Sentence ſhall be pronounced until Report be made of the whole matter by the Preſident to His Majeſty, the General, or Commander in Chief for the time being, in order to receive their reſpective Directions therein, and when Sentence ſhall be pronounced, the Provoſt Martial ſhall have

have a Warrant to cause Execution to be done according to Sentence.

ART. LIII.

At a General Court-Martial there shall be a Clerk who is to be sworn to make true and faithful Records of all the Proceedings of that Court, and there shall be also such other Officers appointed both for that, and also for the Regimental Court-Martial as shall be necessary; and the General Court-Martial may appoint and limit the Fees of the Provost Martial-General as they shall think fit.

A Sworn Clerk to attend the General Court Martial.

ART. LIV.

All Controversies either between Soldiers and their Captains or other Officers, or between Soldier and Soldier relating to their Military Capacities, shall be summarily heard and determined at the next Court-Martial of the Regiment.

Courts-Martial to decide Military Controversies.

ART. LV.

If in any Matter which shall be Judged in any of the aforesaid Regimental Courts-Martial, either of the Parties shall find himself aggrieved,

There may be Appeal made from the Regimental Courts-Martial to the General Court-Martial.

ved, he may appeal to the General Court-Martial, who are to take Care that if the Party appealing make not good his Suggestion, Recompence be made to the other for the trouble and Charge of such an Appeal.

ART. LVI.

In all Criminal Causes which concern the Crown, His Majesties Advocate-General or Judge-Advocate of the Army, shall inform the Court and prosecute on His Majesties behalf.

In all Criminal Causes which concern His Majesty, His Advocate-General is to inform and prosecute.

ART. LVII.

No Officers or Soldiers shall presume to hinder the Provost-Martial, his Lieutenant or Servant, in the Execution of their Office upon pain of Death, or such other Punishment as a Court-Martial shall think fit; And all Captains, Officers and Soldiers shall do their utmost to apprehend and bring to Punishment all Offenders, and shall assist the Officers of His Majesties Army or Forces therein, especially the said Provost-Martial, His Lieutenant and Servants; and if the Provost-Martial or his Officers require the assistance of any Officer or Soldier in apprehend-

The Penalty of hindring the Provost-Martial in the Execution of his Duty.

The Penalty of not assisting him.

hending any Perſon, declaring to them that it is for a Capital Crime, and the Party eſcape for want of Aid and Aſſiſtance, the Party or Parties refuſing to Aid or Aſſiſt ſhall ſuffer ſuch Puniſhment as a Court Martial ſhall inflict.

ART. LVIII.

If any Officer or Soldier who ſhall preſume to draw his Sword in any Place of Judicature while the Court is ſitting, he ſhall ſuffer ſuch Puniſhment as ſhall be inflicted on him by a Court Martial. And the Provoſt-Martial of Their Majeſties Army is hereby empowered and directed by his own Authority to apprehend ſuch Offenders.

The Penalty of drawing a Sword in the place of Judicature, while they are ſitting.

ART. LIX.

If any Soldier being Committed for any Offence ſhall break Priſon, the ſaid Provoſt Martial-General ſhall by his own Authority apprehend him, and the Offender ſhall ſuffer Death.

The Penalty of breaking Priſon

ART. LX.

If any Fray ſhall happen within the Camp or Place of Garriſon in any of the Soldiers Lodgings, or where they meet, it ſhall be inquired into by the Officers

In Caſe of a Fray the Officers of the Regiment are to enquire into it, and ſee it puniſhed.

Officers of the Regiment, and the Beginners and Pursuers thereof punished according to the quality of the Offence.

ART. LXI.

What an inferiour Officer must do if he be wronged.

If any Inferiour Officer either of Horse or Foot, be wronged by his Officer, he may complain to his Colonel, or other Superiour Officer of the Regiment, who is to redress the same, upon due Proof made of the Wrong done him; But if he fail therein, the Party grieved is to apply to the General Officer for Redress: And if the Accusation be false, the Complainant is to be punished at the discretion of a Court-Martial.

ART. LXII.

The Penalty of an Officer forcing any thing from a Soldier.

If any Colonel or Captain shall force or take any thing away from a private Soldier, such Colonel or Captain shall be punished according to the quality of the Offence, by the Judgment of a General Court-Martial.

The Penalty if a Soldier who is wronged go about to help himself.

And if a Soldier shall be wronged, and shall not appeal to the Court, or to his Superiour Commander, but take his own Satisfaction for it, he shall be punished by the Judgment of a Court-Martial.

ART.

ART. LXIII.

If any Soldier die, no other shall take or spoil his Goods, upon pain of restoring double the value to him to whom they belong, and of such further Punishments as a Court-Martial shall think fit. But the Captain of the Company of which such a Soldier was, shall take the said Goods into his custody, and dispose of them for paying his Quarters, and keep the overplus (if any be) for the use of those to whom they belong, and who shall claim the same within Three months after his Death.

The Captain is to take care of any Soldiers Goods when he dies.

And if any Captain or Officer die, the Chief Commander shall take care of reserving his Estate in like manner.

And the Chief Commander of any superiour Officers Estate.

ART. LXIV.

No Provost-Martial shall refuse to receive or keep a Prisoner committed to his Charge by Authority, or shall dismiss him without Order, upon pain of such Punishment as a Court-Martial shall think fit.

Penalty if a Provost-Martial refuse to take a Prisoner into Custody.

And if the Offence for which the Prisoner was apprehended deserved Death, the Provost-Martial failing

to receive and keep him as aforesaid shall be liable to the same Punishment.

ART. LXV.

If a Person be committed by the Provost-Martials own Authority, the Chief Commander must be acquainted with it.

If any Person be Committed by the Provost Martials own Authority without other Command, he shall acquaint the General or other Chief Commander with the Cause within Twenty four hours, and the Provost-Martial shall thereupon dismiss him, unless he have Order to the contrary.

ART. LXVI.

The Penalty of using Menacing Words, Signs or Actions in a place of Judicature.

No man shall presume to use any Braving or Menacing Words, Signs or Gestures where any of the aforesaid Courts of Justice are sitting, upon pain of suffering such Punishment as the Court-Martial shall think fit.

ART. LXVII.

All things are to be made known by Beat of Drum, or the Sound of Trumpet, and then obeyed.

Whatever is to be Published or generally made known, shall be done by Beat of Drum, or the Sound of Trumpet, That no man may pretend Ignorance thereof: And if afterwards any one shall be found disobedient, or trans-

transgressing what is so Published, he shall be punished according to these Articles, or the quality of the Fact.

ART. LXVIII.

All other Faults, Misdemeanours, Disorders and Crimes not mentioned in these Articles, shall be punished according to the Laws and Customs of War, and discretion of the Court-Martial.

ART. LXIX.

Lastly, All the foregoing Rules and Articles shall be Read and Published at the Head of every Regiment, Troop and Company, once every Month at farthest: Whereof all Majors and Adjutants of each Regiment are to take care at their Perils.

FINIS.

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